

**Assembly Bill No. 566**

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Passed the Assembly September 10, 2007

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*Chief Clerk of the Assembly*

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Passed the Senate September 6, 2007

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*Secretary of the Senate*

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This bill was received by the Governor this \_\_\_\_\_ day  
of \_\_\_\_\_, 2007, at \_\_\_\_\_ o'clock \_\_\_\_M.

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*Private Secretary of the Governor*

## CHAPTER \_\_\_\_\_

An act to amend Section 65596 of the Government Code, and to add a heading as Chapter 1 (commencing with Section 10004) to, and to add Chapter 2 (commencing with Section 10015) to, Part 1.5 of Division 6 of the Water Code, relating to water conservation.

## LEGISLATIVE COUNSEL'S DIGEST

AB 566, Plescia. Water conservation.

(1) Existing law, the Water Conservation in Landscaping Act, required the Department of Water Resources, by January 1, 1992, to adopt a model local water efficient landscape ordinance that each local agency may adopt. Existing law further requires the department, to the extent funds are appropriated for this purpose, by January 1, 2009, and after holding public hearings, to update the model water efficient landscape ordinance that may include climate information for irrigation scheduling based on the California Irrigation Management Information System.

This bill would make a technical change to these provisions.

(2) Existing law requires the Department of Water Resources to update the California Water Plan every 5 years and to release, one year prior to issuing each successive update, a preliminary draft of the assumptions and other estimates upon which the study will be based, including, among other things, evapotranspiration rates for major crop types, including estimates of evaporative losses by irrigation practice and the extent to which evaporation reduces transpiration.

This bill would require the Department of Water Resources to continue the operation of the California Irrigation Management Information System to allow evapotranspiration data to be generated for, and made available to, all regions of the state, and would require the department to develop a standard data protocol for evapotranspiration data, as specified, to the extent funds are appropriated for these purposes. The bill would also provide that specified funds are available, upon appropriation, to provide regional contributions toward satisfying these provisions.

*The people of the State of California do enact as follows:*

SECTION 1. Section 65596 of the Government Code is amended to read:

65596. The updated model ordinance adopted pursuant to Section 65595 shall do all the following in order to reduce water use:

(a) Include provisions for water conservation and the appropriate use and groupings of plants that are well-adapted to particular sites and to particular climatic, soil, or topographic conditions. The model ordinance shall not prohibit or require specific plant species, but it may include conditions for the use of plant species or encourage water conserving plants. However, the model ordinance shall not include conditions that have the effect of prohibiting or requiring specific plant species.

(b) Include a landscape water budget component that establishes the maximum amount of water to be applied through the irrigation system, based on climate, landscape size, irrigation efficiency, and plant needs.

(c) Promote the benefits of consistent local ordinances in neighboring areas.

(d) Encourage the capture and retention of stormwater onsite to improve water use efficiency or water quality.

(e) Include provisions for the use of automatic irrigation systems and irrigation schedules based on climatic conditions, specific terrains and soil types, and other environmental conditions. The model ordinance shall include references to local, state, and federal laws and regulations regarding standards for water-conserving irrigation equipment. The model ordinance may include climate information for irrigation scheduling based on the California Irrigation Management Information System (Chapter 2 (commencing with Section 10015) of Part 1.5 of Division 6 of the Water Code).

(f) Include provisions for onsite soil assessment and soil management plans that include grading and drainage to promote healthy plant growth and to prevent excessive erosion and runoff, and the use of mulches in shrub areas, garden beds, and landscaped areas where appropriate.

(g) Promote the use of recycled water consistent with Article 4 (commencing with Section 13520) of Chapter 7 of Division 7 of the Water Code.

(h) Seek to educate water users on the efficient use of water and the benefits of doing so.

(i) Address regional differences, including fire prevention needs.

(j) Exempt landscaping that is part of a registered historical site.

(k) Encourage the use of economic incentives to promote the efficient use of water.

(l) Include provisions for landscape maintenance practices that foster long-term landscape water conservation. Landscape maintenance practices may include, but are not limited to, performing routine irrigation system repair and adjustments, conducting water audits, and prescribing the amount of water applied per landscaped acre.

(m) Include provisions to minimize landscape irrigation overspray and runoff.

SEC. 2. The heading of Chapter 1 (commencing with Section 10004) is added to Part 1.5 of Division 6 of the Water Code, immediately preceding Section 10004, to read:

#### CHAPTER 1. THE CALIFORNIA WATER PLAN

SEC. 3. Chapter 2 (commencing with Section 10015) is added to Part 1.5 of Division 6 of the Water Code, to read:

#### CHAPTER 2. CALIFORNIA IRRIGATION MANAGEMENT INFORMATION SYSTEM

10015. The Legislature hereby finds and declares all of the following:

(a) The state's growth requires policymakers to seek creative ways to maximize the use of water resources and employ technology to conserve water whenever possible.

(b) The state's agricultural industry, as well as residential landscapers, pest control managers, park and golf course operators, water agencies, and large urban irrigators rely on the California Irrigation Management Information System (CIMIS) to provide evapotranspiration data that allows them to develop weather-based, water budgeting methods of irrigation. A recent study found that

the California Irrigation Management Information System generates \$64.7 million in annual benefits to the state, at an annual cost of only eight hundred fifty thousand dollars (\$850,000).

(c) Completing the development of standard data protocol for evapotranspiration data and enhancing statewide coverage of CIMIS data will allow significant improvements in landscape management and irrigation scheduling, thereby saving significant amounts of water. Studies have shown a savings of 37 gallons per day for residential irrigation, and 545 gallons per day for nonresidential irrigation, as well as runoff reduction of up to 50 percent when weather-based irrigation controllers using evapotranspiration data are installed.

(d) The expansion of the California Irrigation Management Information System, and the use of evapotranspiration data in irrigation has other environmental benefits as well. The reduction in urban runoff that results can lead to improved water quality, and for every one acre foot of water saved, there is a corresponding reduction of one ton of air emissions, according to the California Irrigation Management Information System Urban Resource Book (May 2000).

10016. (a) The Department of Water Resources shall complete the development of a standard data protocol for evapotranspiration data, to ensure that the data is available in an easily accessible, standard, and usable format throughout the state, and made available through the California Irrigation Management Information System.

(b) The Department of Water Resources shall continue the operation of the California Irrigation Management Information System to allow evapotranspiration data to be generated for, and made available to, all regions of the state.

(c) The Department of Water Resources shall perform the duties required by this section to the extent funds are appropriated for these purposes in the annual Budget Act.

(d) Upon appropriation by the Legislature, funds allocated pursuant to subdivision (a) of Section 75027 of the Public Resources Code shall be made available to provide regional contributions towards satisfying the duties required by this section.





Approved \_\_\_\_\_, 2007

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*Governor*